

Minutes from the City Council Meeting on Tuesday October 19, 2021 at 7:22 pm in the Auditorium are as follows:

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Brooks, Shane D.	Ward 2 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Absent
Tillotson, James K.	At-Large Councilor	Present
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Galecki, Lucjan J.	Ward 3 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Absent
Labrie, Gary R.	Ward 8 Councilor	Present
Walczak, Stan	Ward 9 Councilor	Present

CITY COUNCIL  
CHICOPEE MA

--Motion made by Councilor McAuliffe the minutes of 9/23/21 remain tabled. Motion passed.

Public Input—Gina Leete, 2 Hidden Place, Southwick, daughter Nicky was employed by the concessionaire as a cart girl at the golf course. Toxicology was .17, double the legal limit, accident report stated she was ejected, she hit a light pole. Has to drive by the site every day. Nicky was 31 years young. Want the contractor not renewed. Want the video footage from the clubhouse. Has tried repeatedly to get the video, time for the city to get the video. Brenda Terault, 34 Carew Street, thoughts and concerns about food bank, its residential route. Busses from Burnett Road, 8 acres of trees will be removed, conservation wetlands area. Shouldn't abut homes. Councilors meet with residents, feel the proposed area is inappropriate. Bikes on Carew Street all times, afraid to step to the mailbox. Sue Nimchick, Ward 9, James Street, see something, say something. A number of frustrated residents city wide. Where is our representation? A stop sign was put back up, need to pay attention to this because of kids. Since 2015 she gives out one card, Councilor Tillotson "go to Jim", after a safety issue with cross walks. In 2014-kept calling Councilors about potholes on James Street, in 2013 "go to Jim" helped again. In 2020 ordinance, importance of representation and listening. Dave Boiselle, 117 DeJordy Lane, Derek Dobosz displayed character haven't seen in a long time. Representing him. Why isn't the Mayor answering? Going since 2009 everyone on edge. Stand till the end and defend the people. Katie Kalbaugh, 14 Nawrocki Drive, thank Councilor McAuliffe for getting a meeting, happy will have a meeting. Protecting Burnett Road and state park, thank Councilor Dobosz, have been coming here for 10 months now, will keep coming. Thank Councilor Dobosz for his support. Tina Collucci, 4 Nawrocki Drive, last 10 months have a petition, give an update, 1192 people signed the petition. Derek Dobosz, 70 Post Road, communication is outrageous, attorney client privilege is in place. On October 8<sup>th</sup> published over 80 emails between WMDC and the city, there are links with Amazon. Think it's outrageous how he's being treated. Don't let the council be part of a city that the city loses trust in.

C-1 A communication from Assistant City Solicitor Christine Pikula of the Law Department with a ruling upholding the recording of City Council minutes.

--Motion made by Councilor McAuliffe to refer items C-1 & C-2 to the Rules Committee. Councilor Dobosz stated he views C-1 & C-2 as inappropriate. Receive communications that aren't on the agenda. Motion passed, by a roll call vote of 10 yes, 1 no, Councilor Brooks voting no, referred. Councilors Roy and Courchesne absent.

- C-2      A communication from Associate City Solicitor Kevin Q. Corridan of the Law Department re: October 5<sup>th</sup> Council Meeting/Slate Road.
- Motion made by Councilor McAuliffe to refer items C-1 & C-2 to the Rules Committee. Motion passed, by a roll call vote of 10 yes, 1 no, Councilor Brooks voting no, referred. Councilors Roy and Courchesne absent.
- Motion made by Councilor Laflamme to take item #10 out of order. Motion passed. Councilors Roy and Courchesne absent.
- MO-10    An order requesting the City Council approve the redistricting map establishing ward and precinct boundaries as recommended by the redistricting committee and approved by the Mayor, and forward the redistricting plan to the Massachusetts Secretary of State and the Local Election Districts Review Commission.
- Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated thank the committee, this is a thankless task. Councilor Tillotson stated on the committee, they put a lot of time and effort into this. Make the wards equal. Have to go by the law. Most people will stay in the same wards. All elected officials will end up in the same ward, favorable. Approve and send to Boston. Councilor Galecki stated what are the consequences if we don't pass this tonight? Councilor Laflamme thanked the whole committee who worked on this. Councilor Walczak stated on the committee, spent a lot of time on this. If the ward/precinct was changed, same voting place. Everyone now in compliance. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.
- MO-1    Mayors appropriation of Seventy five thousand and 00/100 dollars (\$75,000.00) to the following named account: D.P.W. Wastewater Special Account for Settlement of Claims from available funds in the D.P.W. Wastewater Special Account for Memorial Drive Sewer Extension.
- Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated related to the damage from tropical storm. Sewage pumps were damaged, damage was done. Need to pay claims. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.
- MO-2    Mayors appropriation of Twenty thousand and 00/100 dollars (\$20,000.00) to the following named account: Registrar's Expense Account for Special Services from available funds in the Passport Revolving Account.
- Motion made by Councilor Galecki to receive and pass. Councilor Galecki stated additional funds needed. Councilor Tillotson stated compliment to Janina, this is coming out of passport funds. Fee charged, have accumulated money she is using that money. Good opportunity for her. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.
- MO-3    Mayors appropriation of Two thousand four hundred fifty five and 00/100 dollars (\$2,455.00) to the following named account: Planning Expense Account for Special Services from available funds in the Stabilization Fund.
- Motion made by Councilor Walczak to receive and pass. Councilor Walczak stated annual compliance fee from the EPA. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.

- MO-4 Ordered that the City Council accept the FY2022 Municipal Road Safety Program Grant from the Commonwealth of Massachusetts Executive Office of Public Safety and Security to the Chicopee Police Department in the amount of Forty nine thousand four hundred two and 50/100 dollars (\$49,402.50). Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated couldn't come at a better time, lot of speeding complaints. Will patrol the streets with the most speeding problems. Grant coming at a fantastic time. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.
- MO-5 Ordered that the City Council accept the attached named donations in the amount of Seventy and 00/100 (\$70.00) to the Chicopee Police Department. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated a donation to the Police Department. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.
- MO-6 To the City Council:
- You are hereby notified that I have this day appointed, Thomas J. Robak, 84 Nelson Street, Chicopee, MA 01013 to the Golf Commission to serve in such office expiring on the first day of November 2025. To which appointment I ask the confirmation of your honorable Council.
- \*Re-Appointment
- Motion made by Councilor Tillotson to receive and the appointment granted. Councilor Tillotson stated all been said, he's been supporting the golf course for years. Councilor Labrie stated story, was not appointed during Mayor Kos's term, he was there even when he wasn't on the commission. Councilor Laflamme stated his wife was appointed in his place, both great appointments. Councilor Walczak stated he would be remiss if he didn't say a word about his golf partner. Motion passed. Councilors Roy and Courchesne absent.
- MO-7 Ordered that the City Council accept the donations in the amount of Nine thousand five hundred twenty two and 00/100 dollars (\$9,522.00) to the Chicopee Council on Aging. Said donations are for senior meals for the month of September, 2021 and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- Motion made by Councilor Balakier to receive, pass and the donation accepted with a second by Councilor Laflamme. Councilor Balakier stated for the month of September, the meals, helpful. Motion passed through all stages by a roll call vote of 9 yes, 2 abstained. Councilors Brooks and Zygarowski abstained, Councilors Roy and Courchesne absent.
- MO-8 Ordered that the City Council accept the donations in the amount of Six hundred seven and 00/100 dollars (\$607.00) to the Chicopee Council on Aging. Said donations are for the Rivermills Reminder Newsletter and are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- Motion made by Councilor Zygarowski to receive, pass and the donation accepted with a second by Councilor Laflamme. Councilor Zygarowski stated for the newsletter. Motion

passed through all stages by a roll call vote of 9 yes, 2 abstained. Councilors Brooks and Zygarowski abstained, Councilors Roy and Courchesne absent.

- MO-9 Ordered that the City Council accept the donations in the amount of One thousand twenty five and 00/100 dollars (\$1,025.00) to the Chicopee Council on Aging. Said donations are for programming and are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- Motion made by Councilor Dobosz to receive, pass and the donation accepted with a second by Councilor Laflamme. Councilor Dobosz stated donations for programming. Motion passed through all stages by a roll call vote of 9 yes, 2 abstained. Councilors Brooks and Zygarowski abstained, Councilors Roy and Courchesne absent.
- 11 A favorable Ordinance Committee report: Chapter 7 Ordinance Revisions
- Motion made by Councilor Tillotson to receive, 2<sup>nd</sup> and final reading, enrolled and ordained. Councilor Tillotson stated for the Treasurer's Department, change in title, re-organization to use a person differently. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.
- 12 A favorable Ordinance Committee report: BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:
- Chapter 198 Motor Vehicles on City Property  
Add to 198-2 Violations and penalties
- (A) No person shall operate a recreational vehicle or off-highway/road on any City-owned or-controlled public way, sidewalk, park, playground, recreation area, public school property or any other property owned or controlled by the City.
- (B) No person operating or in control of a recreational or off-highway/road vehicle shall refuse to stop such vehicle after having been requested or signaled by a law enforcement officer, No person shall refuse to give their correct name, address or registration to the law enforcement officer.
- (C) No person shall operate a recreational or off-highway/road vehicle recklessly or negligently so that the lives of the public might be endangered and/or such operation, cause serious bodily injury.
- (D) No person shall operate a recreational or off-highway/road vehicle recklessly or negligently so as to cause property damage public/and or private property.
- (E) No person shall operate a recreational or off-highway/road vehicle without stopping and making their name, address and vehicle information known after knowingly colliding with or otherwise causing bodily injury to another.
- (F) No person shall operate a recreational or off-highway/road vehicle recklessly or negligently so that the lives or safety of the public may be endangered.
- (G) No person shall operate a recreational or off-highway/road vehicle recklessly or negligently as to harasses or be a nuisance to the public.
- (H) No person shall operate a recreational or off-highway/road vehicle without first having registered/insured such vehicle in accordance with MGL c.90B Section 22.
- Motion made by Councilor Tillotson to postpone to the call of the chair. Councilor Tillotson stated report from the Police Department, we may not need this, new chief may have new ideas. Motion passed, postponed. Councilors Roy and Courchesne absent.

- 13 A favorable Ordinance Committee report: Be it Ordained by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Chapter 198 Motor Vehicles on City Property

Add 198-2.1

Penalties for violations

1<sup>st</sup> Offense \$500.00

2<sup>nd</sup> Offense \$1,000.00

3<sup>rd</sup> Offense \$1,500.00

--Motion made by Councilor Tillotson to postpone to the call of the chair. Councilor Tillotson stated mixed emotions on fines. Motion passed, postponed. Councilors Roy and Courchesne absent.

- 14 A favorable Ordinance Committee report: BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Chapter 188-20 Service and self-service station licenses.

Add S Sale of Gasoline for Illegal Purposes

(a) No owner or employee of any retail dealer of gasoline shall sell, offer for sale, or attempt to sell any article or product represented as gasoline for use in any motorized recreational vehicle as defined in this ordinance, unless that vehicle is conveyed to and from the retailer's premises by a registered motor vehicle, as defined under Massachusetts General Law Chapter 90 section 1, as may be amended, and no individual shall purchase or attempt to purchase gasoline for use in any motorized recreational vehicle as defined in this ordinance.

(b) Signs with the words "FUELING OF ALL TERRAIN VEHICLES, MINI-CYCLES, DIRT BIKES, OR OTHER UNAUTHORIZED VEHICLES PROHIBITED" in English and "PROHIBIDO DESPACHAR GASOLINA A ALL TERRAIN VEHICLES, MINI-CYCLES O DIRT BIKES O A OTROS VEHICULOS NO AUTORIZADOS" in Spanish at least one (1) inch in height with a contrasting margin shall be posted at all dispensing locations. The location of warning signs shall be based on local conditions but shall be visible and legible from all gas pumps. Signage to be provided by the City.

(c) Any owner of any retail dealer of gasoline which violates any provision of Subsections (a) or (b) of this section who owns or is employed by a retail dealer that has been previously issued a warning as the result of a previous violation of Subsections (a) or (b) of this section shall be fined one hundred dollars (\$100.00) per occurrence. Each motorized recreational vehicle as to which an owner or employee of any retail dealer of gasoline sells, offers for sale, or attempts to sell gasoline shall be considered a separate violation of Section (a) above.

T.	Offense	Fine	Enforcing Personnel
	Sale of Gasoline For Illegal Purposes	\$100.00	Chicopee Police Department

--Motion made by Councilor Tillotson to postpone to the call of the chair. Councilor Tillotson stated possible illegal issues, postpone due to legal issues. Councilor Krampits stated concerns at the meeting from the Police Department, Councilors asked what if a store employee stated no. Motion passed, postponed. Councilors Roy and Courchesne absent.

- 15 A favorable Ordinance Committee report: Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 243-28 Obstruction of streets and sidewalks prohibited.

Add to Chapter 243-28 A1

A1 Any such obstruction shall be tagged by the DPW or their designee for a period of 48 hours and if said obstruction is not so removed, the DPW shall remove said obstruction and hold for a period of 45 days during which time the owner may retrieve said obstruction. If the obstruction is not retrieved by the owner within the 45 day period, said obstruction shall be discarded and/or disposed of by the DPW.

--Motion made by Councilor Tillotson the proposed ordinance be defeated. Councilor Tillotson stated police representation believed we have enough in place now to enforce this. Someone can get hurt, current is sufficient. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Krampits out of chair, Councilors Roy and Courchesne absent.

- 16 A favorable Ordinance Committee report: A proposed ordinance Adding To, Chapter 260, Parking regulations: Streiber Drive, for a distance of 75 feet from the intersection of Vadnais Street, Parking Prohibited Anytime.

--Motion made by Councilor Tillotson to receive, 2<sup>nd</sup> and final reading, enrolled and ordained. Councilor Walczak stated Streiber Drive has people parking where the busses and parents going to school are blocking the way. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Krampits out of chair, Councilors Roy and Courchesne absent.

- 17 A favorable Ordinance Committee report: A proposed ordinance Adding To, Chapter 260, Parking regulations: Ranger Street, North side, Parking Prohibited This Side.

--Motion made by Councilor Tillotson to receive, 2<sup>nd</sup> and final reading, enrolled and ordained. Councilor Tillotson stated no opposition one side of a narrow street. Motion passed through all stages by a unanimous roll call vote. Councilors Roy and Courchesne absent.

- 18 A NEW Special Permit application under Section 275-58 (C)(4) of the Municipal Zoning Ordinance for the purpose of new eating/drinking place with consumption of alcohol. Location of property: 27 Grove Street, Chicopee, MA 01020. Name of Applicant: Lisa Jablonski, 11 Balfour Drive, Springfield, MA 01118.

--Motion made by Councilor Balakier to receive and refer to the Zoning, Building, Planning and Health Departments. Councilor Balakier stated will take up in committee. Motion passed, referred. Councilors Roy and Courchesne absent.

- 19 A NEW Special Permit application under Section 275-50 (c) (1) & 50 (c) (2)(a) of the Municipal Zoning Ordinance for the purpose of changing our illuminated electric standing sign to a digital LED display and a reduction in the front set back is 3' from curb. Location of

property: 993 Chicopee Street, Chicopee, MA 01013. Name of applicant: Michele Cropanese, 60 Powers Street, Chicopee, MA .

--Motion made by Councilor Balakier to receive and refer to the Zoning, Building, Planning and Engineering Departments. Councilor Balakier stated will take up in committee. Motion passed, referred. Councilors Roy and Courchesne absent.

- 20 A NEW Special Permit application under Section 275-50 (C) (1) of the Municipal Zoning Ordinance for the purpose of existing sign w/in 25'-0" required setback. Need Special Permit to reface existing pylon sign. Location of property: 810 Meadow Street. Name of applicant: Carolyn A. Parker, Agent, 3 Lorion Avenue, Worcester, MA 01606.

--Motion made by Councilor Balakier to receive and refer to the Zoning, Building, Planning and Engineering Departments. Councilor Balakier stated will take up in committee. Motion passed, referred. Councilors Roy and Courchesne absent.

- 21 A NEW Special Permit application under Section 275-50 (C) (1) of the Municipal Zoning Ordinance for the purpose of existing sign w/in 25'-0" required setback. Need Special Permit to reface existing pylon sign. Location of property: 1031 Chicopee Street. Name of applicant: Carolyn A. Parker-Agent, 3 Lorion Avenue, Worcester, MA 01606.

--Motion made by Councilor Balakier to receive and refer to the Zoning, Building, Planning and Engineering Departments. Councilor Balakier stated will take up in committee. Motion passed, referred. Councilors Roy and Courchesne absent.

- 22 A NEW Special Permit application under Section 275-58 (C)(4) of the Municipal Zoning Ordinance for the purpose of a new eating and drinking establishment with or without live entertainment (DJ or Band). Location of property: 52 Gladdu Avenue. Name of applicant: NG Chicopee Realty LLC (Jack Ng), 52 Gladdu Avenue.

--Motion made by Councilor Balakier to receive and refer to the Zoning, Building, Planning and Health Departments. Councilor Balakier stated will take up in committee. Motion passed, referred. Councilors Roy and Courchesne absent.

- 23 An application for a NEW Junk Dealers License at 400 East Main Street. To sell retail gift items such as new & old clothing, personal gift sets, clothing and accessories. Applied for by: Beverly J. Thorington, 130 Ruskin Street, Chicopee, MA 01020.

--Motion made by Councilor Walczak to receive and refer to the License Committee. Councilor Walczak stated will take up in committee. Motion passed, referred. Councilors Roy and Courchesne absent.



Keith W. Rattell  
City Clerk